

USSN: 09/966,390

GTI 1400 CON 1

Page 7 of 9

REMARKS

Prior to entry of the amendment above, claims 81-117 were pending, claims 1-80 having previously been canceled in Applicants' 21 September 2004 response to the Office. After entry of the above amendment, claims 81-89, 91-103, 106-109, and 111-117 will be pending, as claims 90, 104, 105, and 110 have been canceled without prejudice to their future prosecution. Claims 81, 83, 99, and 100 have been amended. These amendments are made to advance prosecution by using preferred terminology, and not for reasons related to patentability, they add no new matter, and are fully supported by the specification, claims, and drawings as originally filed. Applicants reserve the right to pursue subject matter no longer or not yet claimed in this or a related application.

Turning to the 6 April 2004 Office communication, Applicants confirm that, in response to a 4-way restriction requirement mailed 2 December 2003, they previously elected to prosecute the subject matter depicted in Figures 6a-6b, *i.e.*, species I, noting in their 5 January 2004 response that they believed claims 81-89, 91-103, 106-109, and 111-117 read on that species. The 6 April 2004 Office communication has asked Applicants to review the claims and point out how they apply to the elected species. Applicants again reiterate their 6 May 2004 response.

Applicants respectfully request reconsideration. First, they note that claims 90, 105, 106, and 110 have been canceled, and thus they are no longer under consideration in this case. As for the remaining claims (*i.e.*, claims 81-89, 91-103, 106-109, and 111-117), Applicants respectfully submit that they read on the species embodied in Figures 6a-6b.

Claim 81, the only independent claim currently pending, clearly reads on devices including electroporation heads as shown in Figures 6a and 6b. The remaining claims all depend, directly or indirectly, from claim 81.

With regard to the dependent claims, claim 82 finds support at specification paragraph [0023]. In claim 83, the term "electrically conductive" has been deleted.

USSN: 09/966,390
Page 8 of 9

GTI 1400 CON 1

Support for a cover, as depicted in Figure 6b, is provided at specification paragraphs [0055] and [0067]. Claim 84 finds support at specification paragraphs [0046-47], [0055], and [0072]. Claim 85 also finds support at paragraph [0072] of the specification. Specification paragraphs [0064] and [0067] support claims 86 and 87, respectively, whereas support for claims 88 and 90 can be found in original claims 60 and 61, respectively. Specification paragraph [0047] also supports claims 89, 97 (see also paragraph [0048]), 98, the amendment of claim 99, and claims 100 and 116.

Claims 91, 92, and 95 find support, for example, at specification paragraph [0064]. Original claim 63 supports currently pending claim 93, and original claim 65 supports current claim 94. Claim 96 is supported by original claim 67. Claim 101 is supported by specification paragraph [0072], while support for claims 102 and 103 can be found in original claims 72 and 73, respectively. Specification paragraph [0017] supports claims 106, 107, and 111. Original claims 78 and 79 support the "pressure sensor" of claim 108 and the skin resistance measuring and recording units of claim 109, respectfully. Claims 112, 113, and 114 are supported by specification paragraphs [0042], [0043], and [0044], respectively. Claim 115 also finds support at specification paragraph [0044]. Finally, claim 117 is supported by specification paragraph [0048].

Because the pending claims find support throughout the specification and original claims, and since claims 81-89, 91-103, 106-109, and 111-117 read on the embodiments of the invention depicted in Figures 6a and 6b, Applicants respectfully submit that it is appropriate to examine these claims in this application, as to do so would not require additional searching or place and undue burden on the Examiner. However, should the Examiner maintain that any of these claims do not read on the elected species, Applicants respectfully request that those claims be withdrawn from consideration.

USSN: 09/966,390
Page 9 of 9

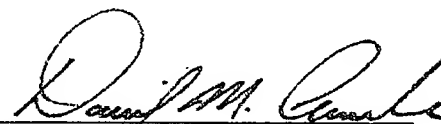
GTI 1400 CON 1

CONCLUSION

Applicants believe all claims are in condition for allowance. Accordingly, they respectfully request issuance of a notice to such effect. That said, if any issue remains that can be dealt with appropriately without need for a formal action and response thereto, the Examiner is encouraged to telephone the undersigned at his earliest convenience at 858.350.9690 so that the same may be expeditiously resolved.

Dated: 14 June 2004

Respectfully submitted,

By: 
Daniel M. Chambers
Attorney for Applicants
BioTechnology Law Group
Reg. No. 34,561